

1 COLEMAN & BALOGH LLP  
2 ETHAN A. BALOGH, No. 172224  
3 225 Bush Street, Suite 1600  
4 San Francisco, CA 94104  
5 Direct: 415.439.8347  
6 Facsimile: 415.373.3901  
7 [eab@colemanbalogh.com](mailto:eab@colemanbalogh.com)

8 Attorneys for Defendant  
9 DANIEL L. GORDON

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 DANIEL L. GORDON

17 Defendant.

Case No. CR-08-0467 SBA

STIPULATION AND  
ORDER RE TEN HOUR PASS

Before the Honorable Wayne D. Brazil  
United States Magistrate Judge

1 WHEREAS, Defendant Daniel Leonard Gordon has been released on conditions during  
2 the pendency of this criminal proceeding;

3 WHEREAS, one of the conditions of his pretrial release requires Mr. Gordon to reside at  
4 New Bridge Foundation in Berkeley, California and to participate in the Foundation's narcotics-  
5 addiction treatment program;

6 WHEREAS, on March 24, 2009, Mr. Gordon was sentenced to 15 months imprisonment,  
7 of which he has less than one-year to serve (based on credit for time served);

8 WHEREAS, at the sentencing hearing, the Court (Armstrong, J.) ordered that Mr.  
9 Gordon may remain on pre-trial release pending his self-surrender to the United States  
10 Marshall's Service  
11 on May 8, 2009.

12 WHEREAS, Mr. Gordon seeks permission from the Court to allow New Bridge  
13 Foundation to issue to him a 10-hour pass for this Sunday, May 3, 2009, to leave New Bridge  
14 Foundation and to travel to his family's residence at 51 Market Street, Richmond, California.  
15 The persons that will be at the residence will be limited to Mr. Gordon's family members, to wit:  
16 Leonard Gordon (father), Sara Gordon (mother), Kadeisha Gordon (sister), Lakeisha Gordon  
17 (wife), Tamantanay Hicks (niece), Chante Andrews (niece), Joe Scott (brother in-law). Mr.  
18 Gordon seeks to leave New Bridge Foundation at 9:30 and to return to New Bridge Foundation  
19 no later than 7:30 p.m.

20 WHEREAS, counsel for the defendant has confirmed with New Bridge Foundation that  
21 Mr. Gordon is eligible for a pass, and if this Order is signed *and* Mr. Gordon complies with the  
22 rules of New Bridge Foundation, *i.e.*, New Bridge reviews his itinerary (as set forth above) and  
23 the persons with whom Mr. Gordon will visit are screened and approved by New Bridge  
24 Foundation, New Bridge will permit the day pass. Further, even should the Court issue this  
25 Order as requested, New Bridge Foundation maintains final say and may not permit the 10-day  
26 pass in its discretion; and .

27 ///

28 ///

///

1 WHEREAS, Mr. Gordon's Pretrial Services Officer Victoria Gibson approves of a 10-  
2 hour pass as stipulated to by the government and Mr. Gordon.

3 IT IS HEREBY STIPULATED AND AGREED that the Court should modify the terms  
4 of Mr. Gordon's release to permit New Bridge Foundation, in its discretion, to issue a 10-hour  
5 pass to Mr. Gordon to visit his family on May 3, 2009, as set forth above.

6 Respectfully submitted,

7 COLEMAN & BALOGH LLP

JOSEPH P. RUSSONIELLO

8 

9  
10 By: ETHAN A. BALOGH  
11 Attorneys for Defendant  
12 DANIEL L. GORDON

/s/ *James C. Mann*  
(as authorized)  
By: JAMES C. MANN  
Attorneys for the United States

13 **CERTIFICATION**

14 By signing this pleading on behalf of additional parties as set forth above, counsel attests  
15 that he has been authorized to do so by the counsel-of-record for the United States.

16  
17  
18 **ORDER**

19 Based on the foregoing and for good cause shown, Defendant Gordon's Stipulated  
20 Request to Permit New Bridge Foundation to issue to him a 10-hour pass is GRANTED.  
21 Pursuant to this ORDER, New Bridge Foundation is authorized to issue to Mr. Gordon a 10-hour  
22 pass to visit with his family at 51 Market Street, Richmond, California on May 3, 2009, and the  
23 terms of Mr. Gordon's release are hereby amended to permit this family visitation on that date.  
24 IT IS SO ORDERED.

25  
26 DATED: April 28, 2009

27   
28 WAYNE D. BRAZIL  
UNITED STATES MAGISTRATE JUDGE